

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

BRETT ALAN BEAUDRY

PLAINTIFF

v.

Civil No. 05-5186

TOM KEITH, Circuit Judge, et al.

DEFENDANTS

ORDER

Plaintiff's complaint was filed in this case on November 18, 2005. Before the undersigned is the issue of whether the complaint should be served. In order to assist the court in making such determination, it is necessary that plaintiff provide additional information with respect to his claims.

Accordingly, it is ordered that plaintiff, Brett Alan Beaudry, complete and sign the attached addendum to his complaint, and return the same to the court **by February 24, 2006. Plaintiff is advised that should he fail to return the completed and executed addendum by February 24, 2006, his complaint may be dismissed without prejudice for failure to prosecute and/or for failure to obey an order of the court.**

IT IS SO ORDERED this 25th day of January 2006.

/s/ Beverly Stites Jones

HON. BEVERLY STITES JONES
UNITED STATES MAGISTRATE JUDGE

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ADDENDUM TO COMPLAINT

TO: BRETT ALAN BEAUDRY

This form is sent to you so that you may assist the court in making a determination as to the issue of whether your complaint should be served upon the defendants. Accordingly, it is required that you fill out this form and return this entire form (including this first page) back to the court **by February 24, 2006**. Failure to do so will result in the dismissal of your complaint.

The response must be legibly handwritten or typewritten, and all questions must be answered completely in the proper space provided on this form. If you need additional space, you may attach additional sheets of paper to this addendum.

RESPONSE

In your complaint, you allege that in June 2003 you filed a writ of habeas corpus in Judge Tom Keith's court and that Judge Keith ordered your appearance on June 30, 2003. At that time, you were in custody in the Western Reception Diagnostic & Correctional Center in St. Joseph, Missouri. You were not taken in front of Judge Keith on June 30, 2003, and thus you had to parole to a detainer. Due to your failure to appear, Judge Keith's order was canceled and vacated until your release from Missouri. You also state that had you been brought in front of Judge Keith on June 30, 2003, that case CR2003-1438-1 would not have happened. You also state that

You also state that Dr. Mullins refuses to take your medical needs seriously. You claim that you have blood in your feces. You claim that Dr. Mullins treated this condition and told you that it would not reoccur, but it did. You requested that you be tested for cancer, but Dr. Mullins told you that 23-year olds do not get prostate or colon cancer. You state that the actual seriousness is still pending.

[illegible]

2. Are you claim that Judge Keith took actions in his official capacity as a Circuit Court judge that violated your constitutional rights?

Answer: Yes_____ No_____

Explain your answer.

3. In your complaint, you name Deputy Prosecuting Attorney Candace Taylor as a defendant in this action, however you do not describe any facts to state a claim against Taylor. Describe the actions took by Taylor that you believe violated your federal constitutional rights and explain why you believe Taylor should be held liable for the allegations in your complaint.

4. Are you claiming that Taylor took actions in her official capacity as a prosecutor that violated your federal constitutional rights.

Answer: Yes _____ No _____

Explain your answer.

5. In your complaint, you name transport agent Deputy Nathan Atchinson as a defendant in this action, however you fail to describe any actions taken by Atchinson that violate your federal constitutional rights. Describe the actions taken by Atchinson that violated your federal constitutional rights and explain why you believe Atchinson should be held liable for the allegations in your complaint.

6. In your complaint, you name transport agent Deputy R. L. Conner as a defendant in this action, however you fail to describe any actions taken by Conner that violate your federal constitutional rights. Describe the actions taken by Conner that violated your federal constitutional rights and explain why you believe Conner should be held liable for the allegations in your complaint.

[illegible]

[illegible]

Answer: Yes _____ No _____

9. In your complaint, you name Prosecuting Attorney Robert C. Balfe as a defendant in this action, however you do not describe any facts to state a claim against Balfe. Describe the actions took by Balfe that you believe violated your federal constitutional rights and explain why you believe Balfe should be held liable for the allegations in your complaint.

10. Are you claiming that Balfe took actions in his official capacity as a prosecutor that violated your federal constitutional rights.

Answer: Yes _____ No _____

Explain your answer.

11. In your complaint, you name Prosecuting Attorney Robin F. Green as a defendant in this action, however you do not describe any facts to state a claim against Green. Describe the actions took by Green that you believe violated your federal constitutional rights and explain why you believe Green should be held liable for the allegations in your complaint.

12. Are you claiming that Green took actions in his/her official capacity as a prosecutor that violated your federal constitutional rights.

Answer: Yes_____ No_____

Explain your answer.

13. Who was responsible for getting you in front of Judge Keith on June 30, 2003? How do you know this?

14. What do you mean when you say that the failure to get you in front of Judge Keith was "due to mess up"?

15. What do you mean when you say that you had to "parole to a detainer"?

16. What do you mean when you say that if you had been brought before Judge Keith on June 30, 2003 that case Cr2003-1438-1 would not have happened?

17. What information were you introduced to on October 14, 2005? How would this information have changed the outcome of your criminal cases?

18. What charges have you been convicted of? Give the dates and case number for those convictions.

19. You state that Dr. Mullins refuses to take your medical needs seriously. Are you stating this solely because he will not order a cancer test as you requested?

Answer: Yes _____ No _____

If you answered no, then state how he has ignored you medical needs in other ways.

20. You state that Dr. Mullins treated you for blood in your feces. How did he treat you (explain what tests or examinations were administered and what medications, if any, he prescribed)? Also, provide the date that he treated you.

21. You state that Dr. Mullins told you that the blood would not reoccur after he treated you, but that it did, along with clear liquid. When did this happen? Give date.

22. How long after the treatment that Dr. Mullins gave you did the blood in your feces stop?

23. Have you ever been diagnosed with cancer? Do you have any other reason to suspect that you have cancer?

24. What are your dates of detention in the Benton County Detention Center?

25. Why are you detained in the Benton County Detention Center?

I CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS COVERED BY
THE VERIFICATION MADE BY ME ON MY INITIAL COMPLAINT.

BRETT ALAN BEAUDRY

DATE